

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO  
**AMENDED SENTENCING MINUTE SHEET - CONTINUED**

CR No.	05-1849 JH	USA vs.	Gil
Date:	March 3, 2011	Name of Deft:	Manuel Gil
Before the Honorable		Judith C. Herrera	
Time In/Out:	10:24 am - 10:42 am		Total Time in Court (for JS10): 18 minutes (Sentencing Continued)
Clerk:	I. Duran		Court Reporter: P. Baca
AUSA:	James Braun		Defendant's Counsel: Timothy Padilla
Sentencing in:	Albuquerque, NM		Interpreter: Bethany Korp-Edwards
Probation Officer:	Jason Beatty		Sworn? <input type="checkbox"/> Yes <input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/> Plea	<input type="checkbox"/> Verdict	As to: <input type="checkbox"/> Information <input checked="" type="checkbox"/> Superseding Indictment
If Plea:	<input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	Adjudged/Found Guilty on Counts: <b>Ct. I</b>	
If Plea Agreement:	<input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	<input type="checkbox"/> No Plea Agreement	Comments:
Date of Plea/Verdict:	02/02/07		PSR: <input checked="" type="checkbox"/> Not Disputed <input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/> Court Adopts PSR Findings	Evidentiary Hearing:	<input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:			
<b>SENTENCE IMPOSED</b>		Imprisonment (BOP):	
Supervised Release:		Probation:	500-Hour Drug Program
<b>SPECIAL CONDITIONS OF SUPERVISION</b>			
<input type="checkbox"/>	No re-entry without legal authorization	<input type="checkbox"/>	Home confinement for _____ months _____ days
<input type="checkbox"/>	Comply with ICE laws and regulations	<input type="checkbox"/>	Community service for _____ months _____ days
<input type="checkbox"/>	ICE to begin removal immediately or during sentence	<input type="checkbox"/>	Reside halfway house _____ months _____ days
<input type="checkbox"/>	Participate in substance abuse program/drug testing	<input type="checkbox"/>	Register as sex offender
<input type="checkbox"/>	Participate in mental health program	<input type="checkbox"/>	Participate in sex offender treatment program
<input type="checkbox"/>	No alcohol/liquor establishments	<input type="checkbox"/>	Possess no sexual material
<input type="checkbox"/>	Submit to search of person/property	<input type="checkbox"/>	No computer with access to online services
<input type="checkbox"/>	No contact with co-Deft(s) or co-conspirators	<input type="checkbox"/>	No contact with children under 18 years
<input type="checkbox"/>	No entering, or loitering near, victim's residence	<input type="checkbox"/>	No volunteering where children supervised
<input type="checkbox"/>	Provide financial information	<input type="checkbox"/>	Restricted from occupation with access to children
<input type="checkbox"/>	Grant limited waiver of confidentiality	<input type="checkbox"/>	No loitering within 100 feet of school yards
OTHER: Standard & Mandatory Conditions:			
Fine: \$		Restitution: \$	
SPA: \$	(\$100 as to each Count)	Payment Schedule:	<input type="checkbox"/> Due Imm. <input type="checkbox"/> Waived
OTHER:			
<input type="checkbox"/>	Advised of Right to Appeal	<input type="checkbox"/> Waived Appeal Rights per Plea Agreement	
<input checked="" type="checkbox"/>	Held in Custody	<input type="checkbox"/> Voluntary Surrender	
Recommended place(s) of incarceration:			

	Dismissed Counts:	
OTHER COMMENTS	<p>Defense has no objections to PSR. Ct. notes those present in Court. Govt states this matter does not need to be sealed. Defendant makes argument for a minor role adjustment &amp; asks for a sentence of 33 months &amp; further deviation for these reasons: family health problems, deft's health (diabetic), deft's compliance &amp; notes letters submitted to the Ct. Deft addresses Ct. Govt. has no objection to a sentence within 57-71 months; however objects to a 37 months sentence. Defense replies. Although, the court notes the parties' concurrence of a 2 level reduction, the deft's request for variance will need to be addressed. <b>Ct. will reset this matter in order to allow parties time to brief the variance issue.</b> Defense states that he will file a motion for variance no later than 10 days.</p>	